

IN RE: PETITIONS FOR SPECIAL  
EXCEPTION & ZONING VARIANCE  
SW/C North Point Blvd. 5  
Norris Lane  
(2635 North Point Blvd.)  
15th Election District  
7th Councilmanic District

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE #89-57-XA

Dolores Dillon  
R. J. Hellmann & Sons, Inc.

Petitioners

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

The Petitioner herein requests a Special Exception to approve a contractor's equipment storage yard on a B.R.-C.S.I. property and Petition for Zoning Variances to permit a front yard setback of 45 feet from the center line in lieu of 50 feet; to permit a side yard of 1 foot in lieu of the required 30 feet; to permit an outside storage of 8 feet from the property line in lieu of the required 15 feet and to permit a durable and dustless surface of Crusher Run in lieu of Macadam, as more particularly described on Petitioners' Exhibits 1 and 2.

The Petitioners are Dolores Dillon and R.J. Hellmann and Sons, Inc. Hellmann, Inc. was represented by S. Eric DiNenna, Esquire and Mr. Hellmann appeared and testified. Raymond E. Pryor, Esquire, representing Dolores Dillon, did not appear.

Mr. Howard W. Dawson, a Protestant, appeared and testified.

The testimony and evidence presented at the hearing indicated that the subject property is zoned B.R.-C.S.I. and is currently subject to a Special Exception for a used car lot. The property is currently used as a used car and truck sales lot and has a distinctive triangular shape along North Point Boulevard at the northwestern corner of Norris Lane. The Special Exception for the Used Car lot was granted in case

#77-136XA on March 1, 1977. The subject site is improved with a crusher-run paving surface and a small one-story building as indicated on Petitioner's Exhibits 1 and 2 used as a sales center. There are five designated parking spaces and the remainder of the lot has been used for the storage of used automobiles.

The evidence and testimony, clearly, indicates that the Petitioners intend to develop the site as a contractor's equipment storage yard for the ongoing operation of their company. R.J. Hellmann and Sons, Inc. is a paving contractor and has been in business in the greater Baltimore area for more than 40 years. The yard will be used as the basis of operation for the company. The development of the lot will retain the crusher-run paved surface in lieu of a durable and dustless surface in order to accommodate the desires of the Baltimore County Department of Environmental Protection and Resource Management for storm water infiltration. Crusher-run in lieu of a durable and dustless surface will be used because most of the equipment stored on the lot will not be moved on and off of the lot on a regular basis. Therefore, there will be little airborne dust.

Testimony proffered and supplied in chief by the Petitioners indicates that the requirements of Section 502.1 would fully be complied with by the development of this lot and its use as an equipment storage yard. There was proffered testimony concerning the requirements of Section 307 of the Baltimore County Zoning Regulations and that there would be no harm to the health, safety or general welfare.

The Protestant raised issue as to the development of this lot and the use of this lot in light of the poor site line distance along North

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner

September 21, 1988



Dennis F. Rasmussen  
County Executive

S. Eric DiNenna, Esquire  
409 Washington Avenue  
Towson, Maryland 21204

RE: Petitions for Special Exception and Zoning Variance  
Case No. 89-57XA

Dear Mr. DiNenna:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:mmn  
att.  
cc: Peoples Counsel  
R.J. Hellmann and Sons, Inc.  
Raymond E. Pryor, Esquire  
Ms. Dolores Dillon

Point Boulevard from the intersection of Norris Lane. The Baltimore County Department of Public Works, Bureau of Traffic Engineering, has specifically stated that there are no comments in reference to this particular project. The Maryland Department of Transportation, State Highway Administration, has also indicated that they have no substantive comments other than if Baltimore County requires improvement of the intersection that the posting of a bond would be required. The evidence presented is insufficient to demonstrate a line of site problem at the intersection of Norris Lane and North Point Boulevard.

It is clear that the Baltimore County Zoning Regulations permit the use requested herein by the Petitioners in a B.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity as they are also commercial uses. Therefore, it must be determined that the conditions delineated by Section 502.1 are satisfied by the evidence and testimony presented by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the Special Exception should be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently

**PETITION FOR ZONING VARIANCE**  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 to permit a front yard setback of 45 feet from the center line in lieu of 50 feet; Section 238.2 to permit a side yard of 1 foot in lieu of the required 30 feet; Section 238.4 to permit outside storage of 8 feet from property line in lieu of required 15 feet; Section 409.2.c(2) to permit a dustless and durable surface of Crusher Run in lieu of Macadam paving of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) Shape of Property
- (2) Location of property
- (3) Hardship and difficulty facts to be presented at Hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: R.J. Hellmann & Sons, Inc. (Type or Print Name) By: <u>R.J. Hellmann</u> Signature	Legal Owner(s): Dolores Dillon (Type or Print Name) X <u>Dolores Dillon</u> Signature
9119 Hines Road Address Baltimore, Maryland 21234 City and State	(Type or Print Name) <u>R.J. Hellmann</u> Signature
Attorney for Petitioner: S. Eric DiNenna, P.A. (Type or Print Name)	c/o Raymond E. Pryor, Esquire 28 Allegheny Avenue Address Towson, Maryland 21204 City and State
409 Washington Ave., Ste. 600 Address Towson, Maryland 21204 City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted S. Eric DiNenna, P.A. Name 409 Washington Ave. 296-6820 Address Phone No.
Attorney's Telephone No.: 296-6820	409 Washington Ave. 296-6820 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 9th day of September, 1988, at 7 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritte, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

After due consideration of the testimony and evidence presented, it is clear that strict compliance with the requirements would unreasonably prevent use of the property for the permitted purpose; that substantial injustice would be done to the owners and the contract purchasers; and that the granting of the variance would be in the spirit of the law and would not create substantial detriment to the public good.

Pursuant to the advertisement, posting of the property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the requirements of Section 307 having been met in reference to the requested variances and the health, safety, and general welfare of the community not being adversely affected, the Petition for Special Exception and Variances should be granted.

THEREFORE, IT IS ORDERED, this 21st day of Sept. 1988, by the Zoning Commissioner of Baltimore County to approve a contractor's equipment storage yard on a B.R.-C.S.I. property, in accordance with Petitioners' Exhibits 1 and 2, and for variances to permit a front yard setback of 45 feet from the center line in lieu of 50 feet; to

**PETITION FOR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Contractor equipment storage yard.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: R.J. Hellmann & Sons, Inc. (Type or Print Name) By: <u>R.J. Hellmann</u> Signature	Legal Owner(s): Dolores Dillon (Type or Print Name) X <u>Dolores Dillon</u> Signature
9119 Hines Road Address Baltimore, Maryland 21234 City and State	(Type or Print Name) <u>R.J. Hellmann</u> Signature
Attorney for Petitioner: S. Eric DiNenna (Type or Print Name) <u>S. Eric DiNenna</u> Signature	c/o Raymond E. Pryor, Esquire 28 Allegheny Avenue Address Towson, Maryland 21204 City and State
409 Washington Ave., Ste. 600 Address Towson, Maryland 21204 City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted S. Eric DiNenna Name 409 Washington Ave. 296-6820 Address Phone No.
Attorney's Telephone No.: 296-6820	409 Washington Ave. 296-6820 Address Phone No.

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J. Robert Haines  
Zoning Commissioner of Baltimore County.



Paul Leo P.C.

Paul Leo Engineering Inc.  
305 W. Pennsylvania Ave.  
Towson, Maryland 21204  
301-821-5341

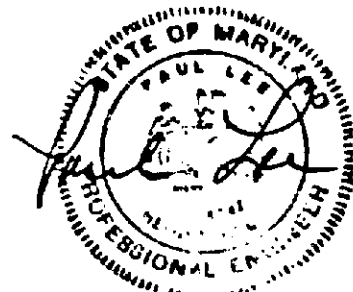
DESCRIPTION

#2635 NORTH POINT BOULEVARD

15th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located in the center of Norris Lane, said point being N 62°14' E - 220 feet from the center of King Avenue; thence binding along the center of Norris Lane (1) N 62°14' E - 84.30 feet, thence leaving said center of Norris Lane (2) N 27°46' W - 16.50 feet and (3) N 07°21' 10" E - 47.74 feet to the south side of North Point Boulevard; thence binding along the south side of North Point Boulevard (4) N 52°09' W - 270.73 feet, thence leaving said south side of North Point Boulevard, (5) S 27°46' E - 302.15 feet to the point of beginning.

Containing 0.436 Acres of land more or less.



PROTESTANTS

TO: BALTIMORE COUNTY ZONING COMMISSIONER  
OFFICE OF PLANNING AND ZONING, TOWSON, MARYLAND 21204  
FROM: RESIDENTS OF NORRIS LANE - BETWEEN NORTH POINT BLVD & NORTH POINT RD.  
c/o Howard Dawson, 2715 Delk Ct. 21222.

The following Property Owner Residents are AGAINST the petitions for special Exception and Zoning Variance Case Number 8957-XA SW/C North Point Blvd. S Norris Lane (2635 North Point Blvd.) in 15th Election District 7th Councilmanic District; For the following Reasons:

1. The Lot is too small for a Contractor Equipment Storage Yard.
2. Due to the size of the lot, the equipment backing into the yard or backing out of the yard will definitely be a accident prone hazard on this busy corner. (The lot is too small for equipment turn around).
3. Our quiet neighborhood with expensive homes will be degraded in value as a result of noise pollution and diesel pollution due to the storage and repair of contractor equipment.
4. The lot size is too small for a building permit with or without the special exceptions- 1 foot in lieu of the required 30 feet and 8 feet from property line in lieu of required 15 feet. The property size has to be increased.

NAME	ADDRESS	SIGNATURE
Rev. Howard W. Dawson	2715 Delk Ct.	Howard W. Dawson
Donna Lyon Thomas	8034 Norris Ln.	Donna Lyon Thomas
Beatrice L. Swiggs	16A King Avenue	Beatrice L. Swiggs
Ma and Mrs. Clifford Farmer	5 Robinson Avenue	Ma and Mrs. Clifford Farmer
Cynthia Jones	10 Robinson Ave.	Cynthia Jones
Sylvia Young	7 Robinson Ave.	Sylvia Young
Rev. John Stucky	12 Robinson Ave.	Rev. John Stucky
Jeanette Beaulieu	2602 Saffa Rd.	Jeanette Beaulieu
Yvonne Weaver	2605 Saffa Rd.	Yvonne Weaver
Lola M. Williams	2605 Saffa Rd.	Lola M. Williams
Edith Young	2603 Saffa Rd.	Edith Young
Vergie Young	2603 Saffa Rd.	Vergie Young
Rebecca Young	2603 Saffa Rd.	Rebecca Young
Lincoln Young	2603 Saffa Rd.	Lincoln Young
Monica Young	8034 Norris Ln.	Monica Young
Dalisha Young	8034 Norris Ln.	Dalisha Young
Carole Young	8034 Norris Ln.	Carole Young
Winston Young	8034 Norris Ln.	Winston Young
HERBY SMITH	2611 Saffa Rd.	HERBY SMITH
MARGARET SMITH	"	MARGARET SMITH
Pat Brimager	2648 Saffa Rd.	Pat Brimager
Kevin Thompson	8033 Norris Ln.	Kevin Thompson
Glorious Thompson	8033 Norris Ln.	Glorious Thompson

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, MARYLAND

District: 15th  
Posted for: Special Exception Variance  
Petitioner: Dolores Dillon  
Location of property: 5416 N. Pt. Blvd. & Norris Lane  
Location of Sign: 5416 N. Pt. Blvd.  
Remarks: Petitioner is requesting a N. Pt. Blvd. & Norris Lane property of Petitioner.  
Posted by: [Signature]  
Date of return: 8/16/88  
Number of Signs: 2

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD. August 18, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Aug. 18, 1988.

THE JEFFERSONIAN,

S. Zeke Olson  
Publisher

PO# 02756  
Reg. M18846

CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

4 N. Center Place  
P.O. Box 8936  
Dundalk, Md. 21222  
August 18, 1988

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. - Case #89-57-XA - P.O. #02755 - Reg. #M18845 - 90 line was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one 1988; that is to say, 19th day of August 1988 the same was inserted in the issues of August 13, 1988

Kimbel Publication, Inc.  
per Publisher.

By A.C. Deke

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES : OF BALTIMORE COUNTY  
SW Corner North Point Blvd. & Norris La. (2635 North Point Blvd.), 15th District :  
DOLORES DILLON, Petitioner : Case No. 89-57-XA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 304, County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 18th day of August, 1988, a copy of the foregoing Entry of Appearance was mailed to Dolores Dillon, c/o Raymond E. Pryor, Esquire, 28 Allegheny Ave., Towson, MD 21204; S. Eric DiNenna, Esquire, 409 Washington Ave., Ste. 600, Towson, MD 21204; and R. J. Hellman & Sons, Inc., 9119 Hines Rd., Baltimore, MD 21234.

Peter Max Zimmerman  
Peter Max Zimmerman

DINENNA, MANN & BRESCHI  
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.  
JAMES L. MANN, JR., P.A.  
GEORGE A. BRESCHI, P.A.  
GERALDINE A. KLAUBER

July 6, 1988

Zoning Commissioner for Baltimore County  
County Office Building  
Towson, Maryland 21204  
ATTENTION: Chris Rorke

RE: Item #413  
Dillon - Petitioner  
Location: 2635 North Point Blvd.

Dear Chris:

Enclosed herewith please find the original and two copies of the Petition for Variance concerning the above-captioned matter.

Would you please have this matter scheduled for hearing as soon as possible as we are under a strict Contract of Sale contingent upon the acquisition of the Special Exception and variances for this property.

Have your office contact me to set a date that would not be in conflict with my trial schedule nor the schedule of the Zoning Commissioner or his Deputy.

Thank you for your cooperation.

Very truly yours,

S. ERIC DINENNA

SED:bk  
Enclosures  
cc: Raymond Pryor, Esquire  
R.J. Hellman & Sons, Inc.  
c/o Ms. Mary Hellman

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

Date: 8-30-88



Dennis F. Rasmussen  
County Executive

Re: Petition for Special Exception and Zoning Variance  
CASE NUMBER: 89-57-XA  
SW/C North Point Blvd. & Norris Lane  
(2635 North Point Blvd.)  
15th Election District - 7th Councilmanic  
Petitioner(s): Dolores Dillon  
Contract Purchaser: R. J. Hellman & Sons, Inc.  
HEARING SCHEDULED: FRIDAY, SEPTEMBER 9, 1988 at 9:00 a.m.

Gentlemen:

Please be advised that \$120.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is itself.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 059248  
DATE: 9/3/88  
RECEIVED FROM: R.J. Hellman & Sons, Inc.  
FOR: Posting & Advertising Case # 89-57-XA  
AMOUNT: \$ 120.00  
ACCOUNT: A-01-015-000  
B C 1 \*\*\*\*\*120015 0007  
VALIDATION OF SIGNATURE OF CASHIER  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

JRH:gs  
cc: S. Eric DiNenna, Esq.  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

July 15, 1988

NOTICE OF HEARING

Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception and Zoning Variance  
CASE NUMBER: 89-57-XA  
SW/C North Point Blvd. & Norris Lane  
(2635 North Point Blvd.)  
15th Election District - 7th Councilmanic  
Petitioner(s): Dolores Dillon  
Contract Purchaser: R. J. Hellman & Sons, Inc.  
HEARING SCHEDULED: FRIDAY, SEPTEMBER 9, 1988 at 9:00 a.m.

Special Exceptions Contractor Equipment Storage Yard.  
Variance to permit a front yard setback of 45 feet from the centerline in lieu of 50 feet; to permit a side yard of 1 foot in lieu of the required 30 feet; to permit outside storage of 8 feet from property line in lieu of required 15 feet; to permit a dustless and durable surface of Gravel Run in lieu of Macadam Paving.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
cc: Dolores Dillon, c/o Raymond E. Pryor, Esq.  
R. J. Hellman & Sons, Inc.  
S. Eric DiNenna, Esq.  
File







BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

7-15-88  
Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item #413, Zoning Advisory Committee Meeting of 6-28-88

Property Owner: Dolores Dillon  
Location: SW/C North Point Blvd + Norris Lane District 15  
Water Supply: multi Sewage Disposal: multi

- COMMENTS ARE AS FOLLOWS:
- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
  - ( ) Prior to new installation of food burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
  - ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
  - ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
  - ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
  - ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
  - ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
  - ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
  - ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
  - ( ) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_, conducted.
  - ( ) The results are valid until \_\_\_\_\_.
  - ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
  - ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
  - ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_.
  - ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
  - ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
  - ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- Others: see attached

*David Fields*  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

Baltimore County  
Department of Environmental Protection  
& Resource Management  
County Office Building  
401 Bosley Avenue  
Towson, Maryland 21204  
494-3733

Robert W. Sheehy  
Director

Mr. J. Robert Haines, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

Comments on Zoning Advisory Committee Meeting, Item #413 are as follows:

Property Owner: Dolores Dillon  
Location: SW/C North Point Boulevard and Norris Lane (2635 North Point Boulevard)  
Existing Zoning: B.R. - C.S. 1  
Proposed Zoning: Variance to permit a front yard setback of 45 feet from the center line in lieu of 50 feet; to permit a side yard of 1 foot in lieu of the required 30 feet; to permit outside storage of 8 feet from property line in lieu of the required 15 feet; to permit a dustless and durable surface of crusher-run in lieu of macadam paving. Special Exception for contractor equipment storage yard.

Area: 0.436 acres  
District: 15th Election District

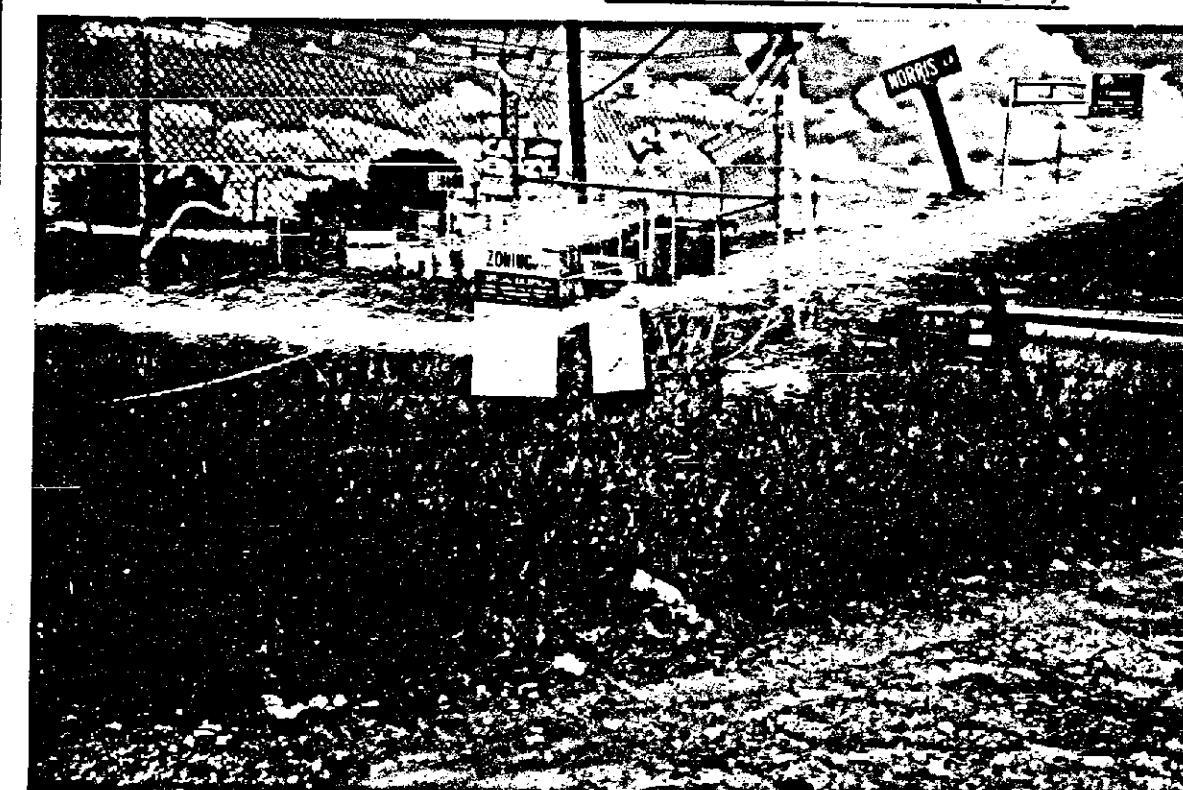
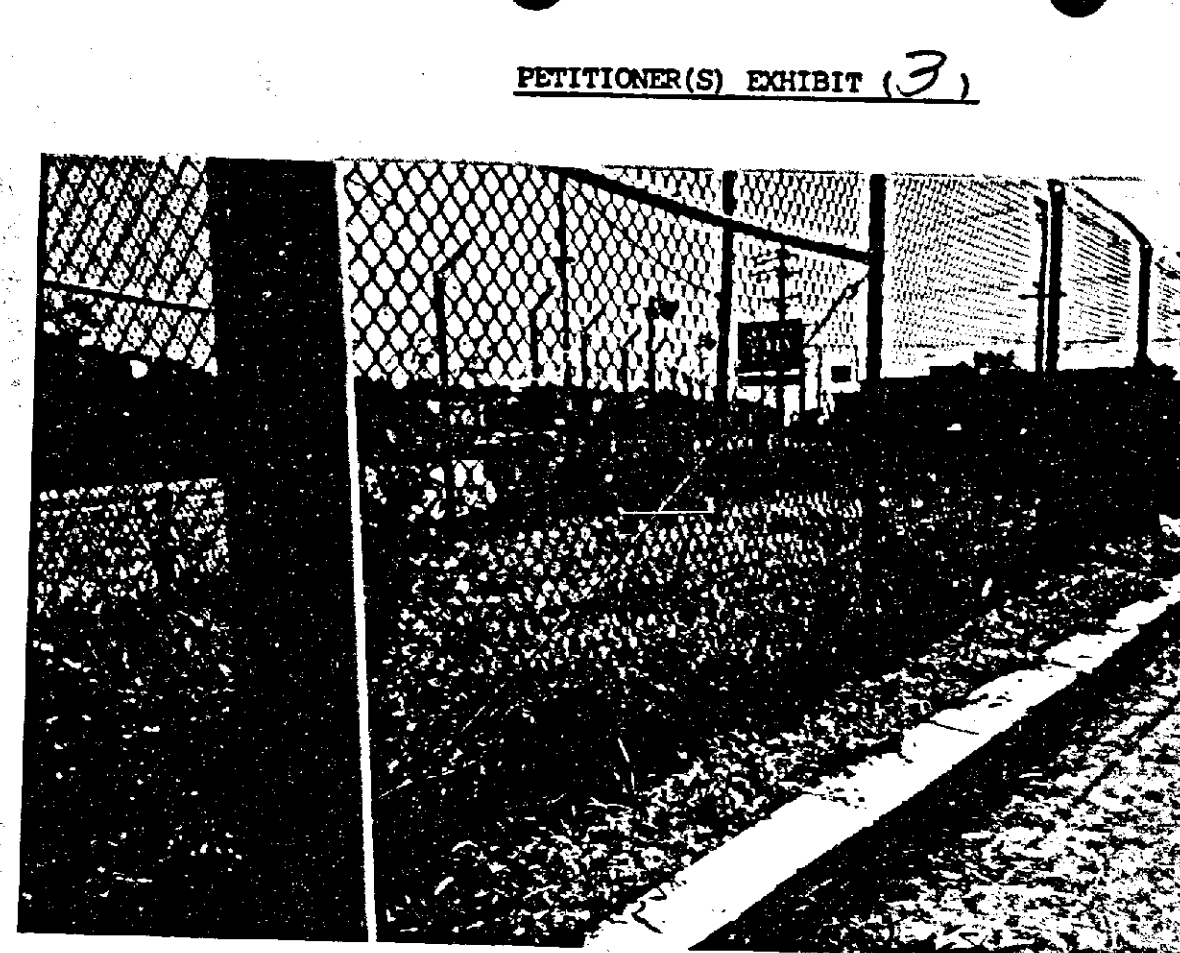
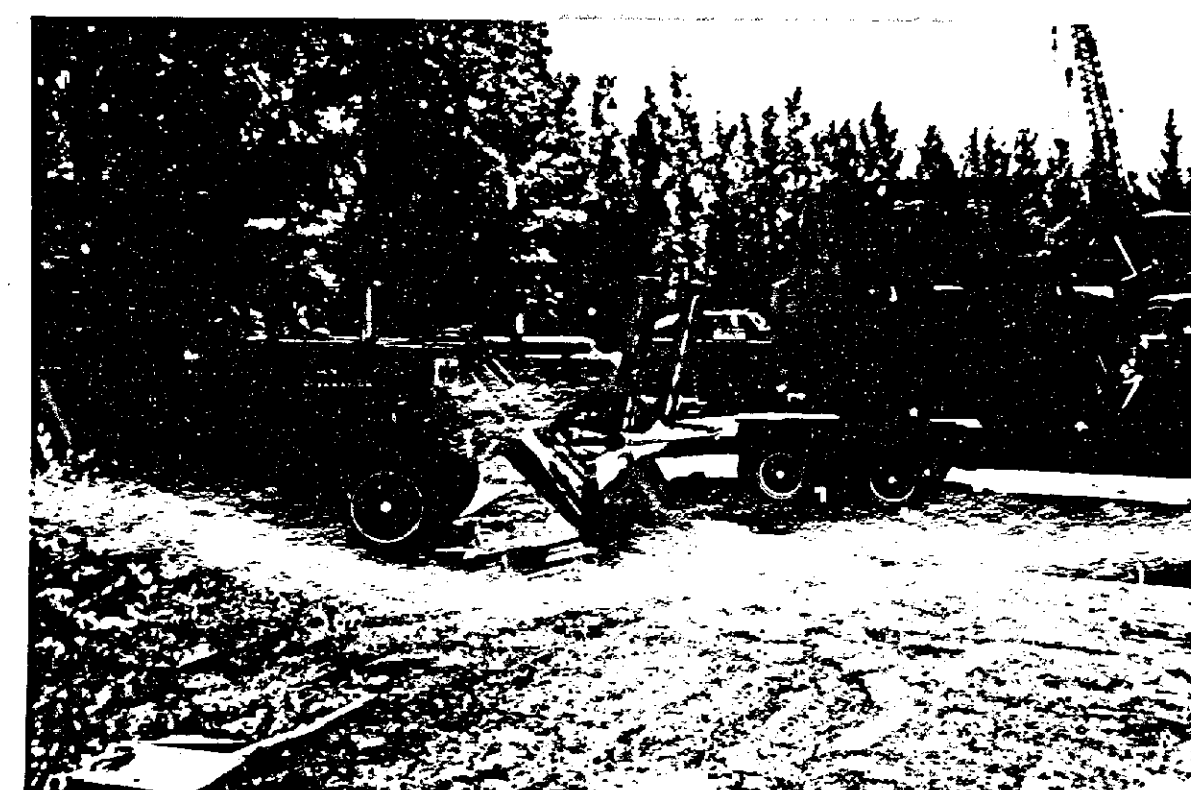
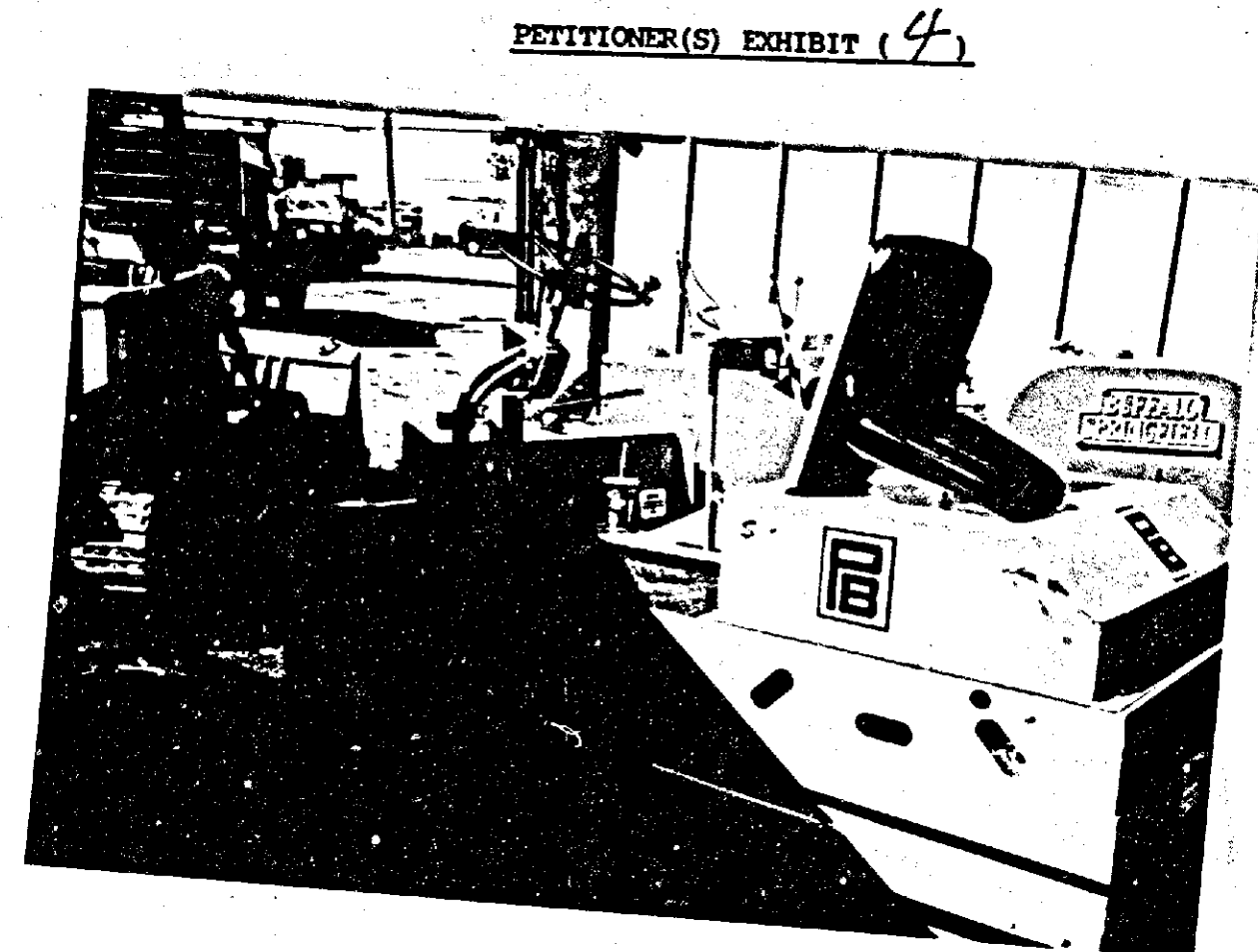
This office recommends approval for the nonconforming use of crusher-run paving as a durable and dustless surface in lieu of macadam. The use of such paving also requires continued maintenance of dust as cited in COMAR 10.18.06.03.D. The surface is to be treated with any one or a combination of water, chemicals or oil to control dust emissions and sufficient crusher-run is to be replenished as required to ensure an appropriate surface and the control of dust.

The Bureau of Air Quality will perform the necessary surveillance to ensure that proper preventive measures are maintained to control dust.

Very truly yours,

*Robert C. Merrey, Jr.*  
Robert C. Merrey, Jr., Acting Director  
Division of Support Services  
Bureau of Air Quality Management

RCM/als



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner Date: July 26, 1988

FROM: P. David Fields, Director  
Office of Planning and Zoning

SUBJECT: Zoning Petition # 89-57-XA

This office is opposed to the granting of the request. It is the opinion of this office that a contractor's equipment storage yard is not an appropriate use on a site in such close proximity to the existing residences along Norris Lane. Further, the site lies within the corridor study area of the Southeast Economic Development Committee, and an enhancement program that includes the installation of curb and gutter, and the provision of landscaping has been undertaken by both the County and the State.

*P. David Fields per P. Haines*  
P. David Fields, Director  
Office of Planning and Zoning

PDF/jat  
cc: Shirley Hess, People's Counsel  
J. G. Hoswell  
Zoning File

RECEIVED  
JUL 23 1988  
ZONING OFFICE

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines  
TO: Zoning Commissioner Date: September 16, 1988

Pat Keller, Deputy Director  
FROM: Office of Planning and Zoning

2635 Northpoint Blvd.  
SUBJECT: Zoning Petition No. 89-57-XA

Bob,

In response to Paul Lee's letter of September 13, 1988 regarding zoning petition No. 89-57-XA, staff provides the following comments. The applicant's request could be supported by staff provided:

- Adequate landscaping is provided around the site and in particular, landscaping is provided outside of the chain link fence along Northpoint Blvd.; and

- The applicant agrees to participate in the future improvements to Norris Lane that are proposed as part of the Corridor Area Study.

PK/sc

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DATE: SEP 21 1988

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FK/sf

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DATE: SEP 21 1988

CPS-008

September 10, 1988

Mr. J. Robert Haines  
Baltimore County Zoning Commission  
111 W. Chesapeake Avenue  
Baltimore, Maryland 21204

Reference Case: 89-57-XA

R. J. Hellman &amp; Son

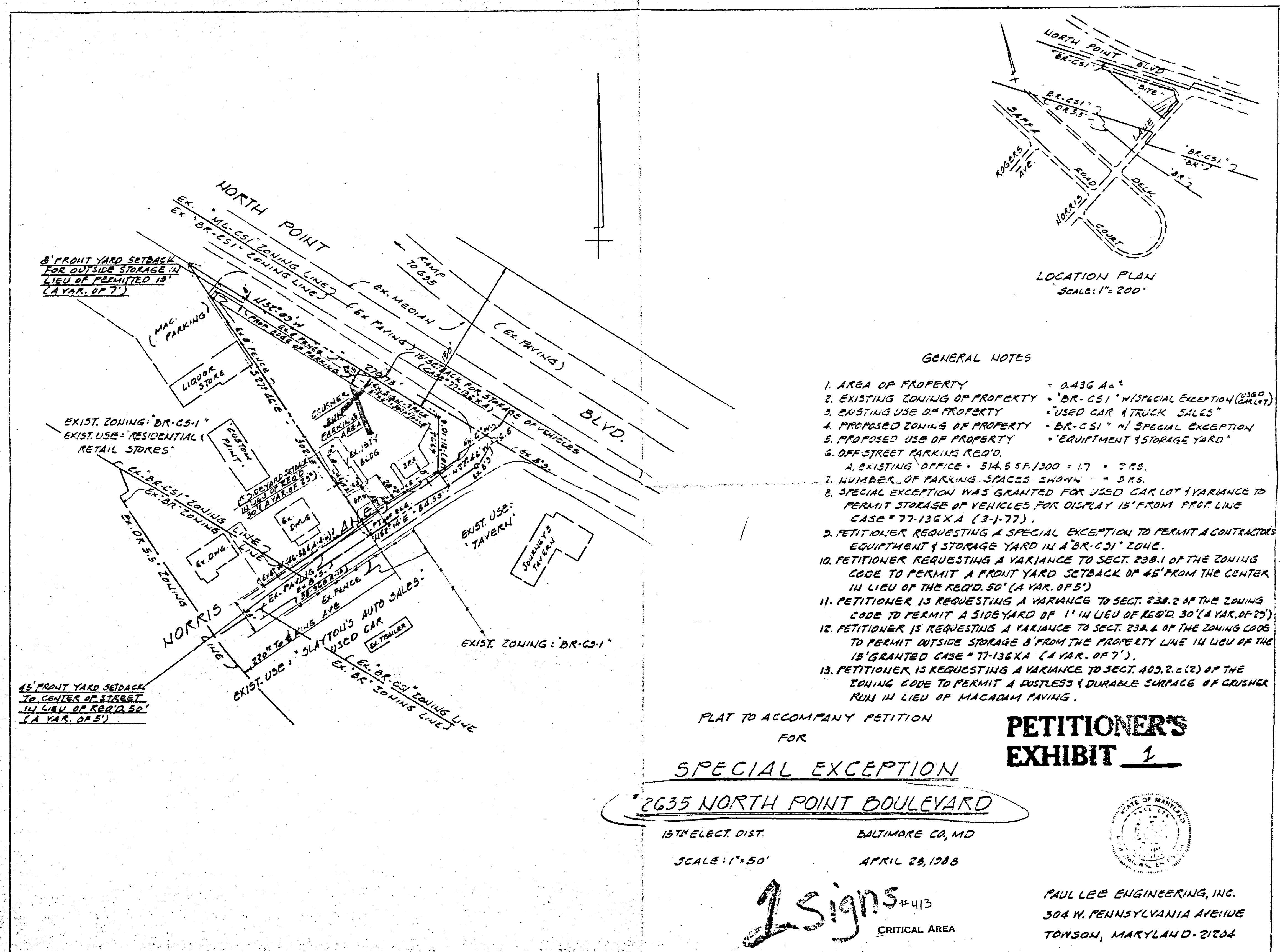
Dear Mr. Haines,

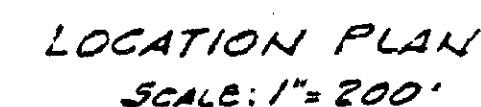
I am the owner of the concerned property, 2635 North Point Boulevard, Baltimore, Maryland 21222 and was present at the hearing, Friday morning, September 9, 1988, as an observer. I would like to comment on testimony given by Mr. Dawson.

Mr. Dawson owns the property directly behind and adjacent to my property. He has an auto repair and paint business on that property. He erected the building while my property was vacant, several years ago and used my property to transport building material to his site, without my knowledge. Around that time, he offered to purchase my property for an unacceptable price.

I have owned this property for about twenty years and do not believe the proposed business of R. J. Hellman & Son will affect the area in any adverse way. The majority of the area is commercial with existing businesses. I do not think this business will be out of line with what is currently there or cause any line of sight problem coming out of Norris Lane onto North Point Boulevard. The Hellman's business should improve the value of the area by having the property

(over)





1. AREA OF PROPERTY • 0.436 AC.<sup>2</sup>
2. EXISTING ZONING OF PROPERTY • "BR-C51" W/ SPECIAL EXCEPTION (USCGO CAR LOT)
3. EXISTING USE OF PROPERTY • "USED CAR & TRUCK SALES"
4. PROPOSED ZONING OF PROPERTY • "BR-C51" W/ SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY • "EQUIPMENT & STORAGE YARD"
6. OFF-STREET PARKING REQ'D.
  - A. EXISTING OFFICE • 514.5 S.F./300 = 1.7 = 2 P.S.
7. NUMBER OF PARKING SPACES SHOWN • 5 P.S.
8. SPECIAL EXCEPTION WAS GRANTED FOR USED CAR LOT & VARIANCE TO PERMIT STORAGE OF VEHICLES FOR DISPLAY 15' FROM PROP. LINE CASE # 77-136XA (3-1-77).
9. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A CONTRACTOR'S EQUIPMENT & STORAGE YARD IN A "BR-C51" ZONE.
10. PETITIONER REQUESTING A VARIANCE TO SECT. 238.1 OF THE ZONING CODE TO PERMIT A FRONT YARD SETBACK OF 45' FROM THE CENTER IN LIEU OF THE REQ'D. 50' (A VAR. OF 5')
11. PETITIONER IS REQUESTING A VARIANCE TO SECT. 238.2 OF THE ZONING CODE TO PERMIT A SIDEYARD OF 1' IN LIEU OF REQ'D. 30' (A VAR. OF 29')
12. PETITIONER IS REQUESTING A VARIANCE TO SECT. 238.4 OF THE ZONING CODE TO PERMIT OUTSIDE STORAGE 8' FROM THE PROPERTY LINE IN LIEU OF THE 15' GRANTED CASE # 77-136XA (A VAR. OF 7').
13. PETITIONER IS REQUESTING A VARIANCE TO SECT. 409.2.C(2) OF THE ZONING CODE TO PERMIT A DUSTLESS & DURABLE SURFACE OF CRUSHER RUN IN LIEU OF MACADAM PAVING.

PLAT TO ACCOMPANY PETITION  
FOR

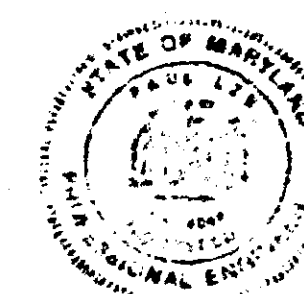
**PETITIONER'S  
EXHIBIT 2**

15TH ELECT. DIST.

BALTIMORE CO. MD

SCALE: 1" = 50'

APRIL 28, 1988



PAUL LEE ENGINEERING, INC.  
304 W. PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204